

REMARKS

Applicants respectfully request favorable reconsideration of this application, as amended.

Claims 1, 2, 6-9 and 13-17 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement, and under § 112, second paragraph, as being indefinite and for failing to include essential steps.¹ While Applicants submit that these rejections are improper, in the interests of securing an early Notice of Allowance, Claims 1 and 9 have been amended to recite that "a seller is changed from the receiving trading branch to a controlling trading branch having a lower production cost than the receiving trading branch," support for which may be found, for example, in the Specification at Page 8, lines 20–23. Claim 1 has also been amended to recite, more clearly, "who or what" is involved in various elements of the method. Claims 1 and 9 have also been amended, generally, for reasons not related to patentability, e.g., to improve grammar, punctuation, etc. No new matter has been added. Applicants respectfully submit that the § 112 rejections have been overcome.

Claims 1, 2, 6–9 and 13–17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsai. Applicants disagree, but, in view of the amendments noted above, Applicants submit that Claims 1, 2, 6–9 and 13–17 are allowable over Tsai.

The present invention is directed to a method and system for controlling production and exportation. As recited in amended Claims 1 and 9, after retrieving the client order data from the original database, the system for controlling production and exportation will process the client order data to be first processed order data such that a seller is changed from the receiving trading branch to a controlling trading branch having a production cost lower than that of the receiving trading branch. Advantageously, the production cost is reduced and the benefit is increased.

Tsai discloses a method and system for estimating exportation time according to practical operating conditions, such as material insufficiency data and order reply data. *See*, e.g., Abstract; Paragraphs 0033 to 0041; FIG. 3; etc. Tsai simply fails to teach or suggest changing the seller from the receiving trading branch to a controlling trading branch having a

¹ *See*, Office Action at Pages 2–3.

lower production cost than the receiving branch, as recited by Claims 1 and 9. Instead, Tsai merely discloses that if the available resources are not sufficient for product manufacture according to the client order data 300, the schedule interface 211 generates material insufficiency data 313 to be used as a reference for purchasing materials. See, Paragraph 0040. Consequently, Tsai fail to teach or suggest all the features recited by Claims 1 and 9. Moreover, Applicants submit that none of the remaining references, taken either singly or in combination, teaches or suggests the aforementioned features.

Accordingly, Claims 1 and 9 are allowable over the cited references. Claims 2 and 6-8, depending from Claim 1, and Claims 13-15, depending from Claim 9, are also allowable, at least for the reasons discussed above.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance and should now be passed to issue.

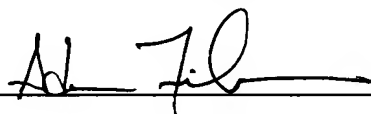
A Notice of Allowance is respectfully solicited.

If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

The Commissioner is hereby authorized to charge any fees and to credit any overpayments that may be required by this paper under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 02-2135.

Respectfully submitted,

October 5, 2006

By: 

1425 K Street, N.W., Suite 800
Washington, D.C. 20005
(202) 783-6040 (voice)
(202) 783-6031 (fax)

Adam M. Treiber
Registration No. 48,000

1355669_1